

**THE BY-LAWS**

**of the**

**CAREER & TECHNICAL EDUCATION BOARD OF TRUSTEES**

**Adopted June 16, 2023**

## **Article I -The Board**

**Section 1. Name (§ 16-53-1):** Effective January 30, 2015, there is hereby established a Rhode Island board of trustees on career and technical education hereinafter referred to as the "board of trustees."

**Section 2. Authority:** The Board is established and shall exercise its powers and duties pursuant to Rhode Island General Laws § 16-53-1 et seq., effective January 30, 2015.

### **Section 3. Duties and Responsibilities § 16-53-3**

The board of trustees shall:

1. Advise the commissioner of elementary and secondary education and the board of education on the development of a biannual state plan for career and technical education;
2. Advise the commissioner of elementary and secondary education so that he/she may make reports to the governor, the business community, and the general public of the state, concerning:
  - i. Policies the state should pursue to strengthen career and technical education;
  - ii. Initiatives and methods the private sector could undertake to assist in the modernization of career and technical education programs;
  - iii. The distribution of spending for career and technical education in the state and on the availability of career and technical education activities and services within the state; and
  - iv. The integration and coordination of the various policies and procedures involving career and technical education.
3. Furnish consultation to the commissioner of elementary and secondary education and the board of education on the evaluation criteria and processes for career and technical education programs within the state; as they pertain to:
  - i. The establishment, continuation, and discontinuation of career preparation programs;
  - ii. Incentives that promote and reward program excellence on the basis of performance;
  - iii. Incentives that emphasize the needs of business and labor organizations;
  - iv. Instructor preparation and qualifications in the areas of industry credentialing, development opportunities, and relevant field-based experiences;
  - v. The integration of academic and technical instruction and skill attainment in career preparation programs; and

- vi. The management and distribution of state funding allocated for the express purpose of establishing or improving career preparation program model sites.
4. Provide advice and consent on the policy principles and goals that govern the distribution of financial assistance furnished under this chapter, particularly with the analysis of the distribution of financial assistance between secondary career and technical education programs and postsecondary career and technical education programs;
5. Report annually to the board of education on topics that include:
  - i. Recommended procedures to ensure and enhance the participation of the public in the provision of career and technical education at the local level within the state, particularly the participation of local employers and local labor organizations; and
  - ii. The extent to which the individuals described in former section 201(b) of United States Public Law 98-524, 20 U.S.C. section 2331(b), are provided with equal access to quality career and technical education programs;
6. Furnish consultation to the commissioner of elementary and secondary education to evaluate, at least once every two (2) years, the career and technical education program delivery systems assisted under this chapter, and make recommendations to stakeholders on the adequacy and effectiveness of the coordination between career and technical education and the workforce demands of the Rhode Island economy and post-secondary workforce development;
7. Comply with all federal statutes, requirements, regulations, and guidelines, and in particular, United States Public Law 98-524 and any amendments to it;
8. Establish, support, and expand private sector participation programs that enhance career and technical education at the local level within the state, particularly the participation of local employers and local labor organizations in providing funding, equipment, training, youth apprenticeships, internships, mentorships, work-study programs, and other services that will enhance student experiences.
9. Subject to the approval of the board of education, assume management and jurisdiction of state-owned and operated career and technical schools, at the request of the governing body of the school with a consultation from the executive director of the state-owned school, and assume management of such other career and technical schools as agreed to by local school education districts and with a recommendation from the superintendent of schools.

In the event that the governing board of a state-owned and operated career and technical, or a local education agency in accordance with § 16-53-3(a)(8), requests the board of trustees to assume management and jurisdiction of its career and technical school, then the board of education may assign the care management and responsibility of career and technical facilities to the board of trustees for the express purpose of providing coordinated career and technical educational services. Prior to the assignment of the care, management, and responsibility of the school, the trustees shall prepare a plan that shall examine and make recommendations over the:

1. Management of the career and technical school, including, but not limited to:
  - a. Including how the conversion from a separate school facility to a statewide system will impact:
    - i. Personnel;
    - ii. Labor agreements, including existing collective bargaining agreements;
    - iii. Contractual obligations outside of labor agreements;
    - iv. Management structure;
    - v. Program offerings;
    - vi. Admission policies;
    - vii. Facilities; and
    - viii. Other items as requested by RIDE or the board of education.
2. Management of other state-owned facilities for the sole purpose of offering career and technical programs; and
3. Method of assuming ownership and management of career and technical facilities within the state that were transferred, including the integration of programs, curriculum, offerings, and the relationship of matching academic requirements to career and technical education to enhance student outcomes.

In the event the board of trustees assumes responsibility pursuant to § 16-53-3(b), the board of trustees shall act with the same authority as a local school committee.

In the event the board of trustees assumes responsibility pursuant to § 16-53-3(a)(8), the board of trustees shall recognize the collective bargaining representatives of all affected employees in each collective bargaining unit and shall recognize the collective bargaining agreements in effect for all affected employees.

#### **Section 4. Office & Mailing Address:**

Rhode Island Board of Trustees

255 Westminster Street

Providence, Rhode Island 02903

**Section 5. Nondiscrimination:** The members, officers, employees, service - providers and other persons or organizations selected and/or served by and for the Board shall be treated and considered entirely on a nondiscriminatory basis with regard to sex, marital status, sexual preference, race, religion, disability, national origin or age, except as applicable to federal or state mandated eligibility criteria for specific programs or services.

**Section 7. Commitment to Equity:** CTE Board of Trustees is committed to ensuring diversity, equity, and inclusion across the Board's policies and practices.

## **Article II - Board Membership**

**Section 1. Composition of the Board (§ 16-53-2):** The board of trustees shall be composed of fifteen (15) members appointed by the governor in staggered terms; all the members shall serve until their successors are appointed and qualified, except as otherwise provided for in subsection (b) of this section. In the month of March, the governor shall appoint members to succeed the members whose term will then next expire for a term of three (3) years commencing on the first day of July then next following and until the successor is named and qualified. A member shall be eligible to succeed himself or herself. A vacancy other than by expiration shall be filled in the same manner as an original appointment but only for the unexpired portion of the term.

The fifteen (15) members of the board of trustees shall be limited to nine (9) consecutive years of service and shall consist of:

1. Nine (9) individuals who are representative of the private employment sector in the following manner:
  - a. Five (5) of whom shall be representative of business, industry, and agriculture including:
    - i. Two (2) members who are representatives of general business concerns;
    - ii. One member who is a representative of small business concerns;
    - iii. One member who is a private sector member of the governor's workforce board, or the Rhode Island workforce investment board or state job training coordinating council (established pursuant to section 122 of the Job Training Partnership Act, 29 U.S.C. 1532); and
    - iv. One member who is a representative of the CTE trust established pursuant to this chapter;
  - b. Two (2) members who are representatives of labor organizations, one of whom must be a career and technical teacher; and
  - c. Two (2) members from trade associations representing employers in the state.

2. Five (5) individuals who are representative of secondary and postsecondary educational institutions including:
  - a. One member who is a representative of the Rhode Island association of school superintendents;
  - b. One member who is a representative or the director of career and technical education programs and/or facilities;
  - c. The commissioner of elementary and secondary education, or his/her designee;
  - d. The commissioner of higher education, or his/her designee; and
  - e. One member who is a representative of adult education and skills training.
  - f. The secretary of commerce or his/her designee shall be the fifteenth (15th) member ex officio.
3. In selecting individuals to serve on the state board, due consideration shall be given to the appointment of individuals who serve on a private industry council under the Job Training Partnership Act (established pursuant to 29 U.S.C. section 1512), or on councils established under other related federal acts.
4. Members of the board of trustees may not represent more than one of the above specified categories, and there shall be appropriate representation of both sexes, racial, and ethnic minorities, and the various geographic regions of the state.
5. The state shall certify the establishment and membership of the state board of trustees at least ninety (90) days prior to the beginning of each planning period described in section 113(a)(1) of United States Public Law 98-524, 20 U.S.C. section 2323(a)(1).

**Section 2. Term of Office:** The board of trustees shall be composed of fifteen (15) members appointed by the governor in staggered terms; all the members shall serve until their successors are appointed and qualified, except as otherwise provided for in subsection (b) of this section. In the month of March, the governor shall appoint members to succeed the members whose term will then next expire for a term of three (3) years commencing on the first day of July then next following and until the successor is named and qualified. A member shall be eligible to succeed himself or herself. A vacancy other than by expiration shall be filled in the same manner as an original appointment but only for the unexpired portion of the term.

**Section 3. Vacancies:** The Board shall request that any vacancies are filled by the Governor, with the advice and consent of the senate, in a prompt manner and consistent with Section 1 of this Article and in conformity with federal and/or state requirements.

**Section 4. Resignations:** A member may resign at any time by submitting written notice to the Governor and Chairperson. The resignation shall take effect at the time specified in such notice, and acceptance shall not be necessary to make it effective.

**Section 5. Removal:** The Chair of the Board may recommend to the Governor the removal of any member who (a) fails to attend at least two thirds (2/3) of the regularly scheduled meetings of the Board during a twelve (12) month period, (b) fails to attend three (3) consecutive meetings of the Board or (c) fails to perform his/her duties in a manner consistent with the Board's mission and/or these by-laws; and/or any authorizing or companion legislation pertinent to the Board.

**Section 6. Prohibition of Compensation of Members:** The members of the Board shall receive no compensation for their services as members, but may, at the discretion and with prior approval of the Chairperson of the Board, be reimbursed for traveling and other expenses incurred in conformance with federal and state reimbursement policies in the performance of their official duties as Board members.

### **Article III - Officers**

**Section 1. Number and Title:** There shall be a Chairperson of the Board who shall be appointed by the Governor from among the fifteen (15) representatives of the employer community. The Chairperson shall serve a three (3) year term. The governor may reappoint the individual appointed chairperson to serve another three (3) year term.

**Section 2. Duties of the Chairperson:** The Chairperson of the Board shall:

- A. Preside at all meetings of the Board, if present;
- B. Execute instruments, as annually authorized by the Board, in the name of the Board;
- C. Call special meetings of the Board, or reschedule a regular meeting of the Board;
- D. Appoint ad-hoc committees, workgroups or task forces to assist the Board;
- E. Appoint Chairpersons of committees;
- F. Appoint members of the Board to committees;
- G. Be an ex-officio member of all committees, and shall be Chairperson of the Executive Committee;

H. Exercise and perform such other powers and duties as may from time to time be assigned by the Governor, or the Board, or prescribed by these by-laws; and, in general, to perform all the duties incident to the office of the Chairperson.

**Section 3. Duties of the Vice-Chairperson:** The Vice-Chairperson shall, in the absence of the Chairperson, perform all the duties of the Chairperson, and, when so acting, shall have all the powers of, and be subject to all the restrictions, upon the Chairperson. The Vice-Chairperson shall also have such other powers, and perform such other duties, as, from time to time, may be prescribed by the Chairperson, Board, or these by-laws.

## **Article IV - Committees**

**Section 1. Industry Advisory Committees:** The Board has established Industry Advisory Committees (IAC) to ensure an employer-led demand-driven to career and technical education for all RIDE-approved CTE programs. Industry Advisory Committees will advise the Board on credentials and academic experiences needed to gain employment and/or preparation for post-secondary credits in Rhode Island after high school graduation. Each Industry Advisory Committee will have two co-chairs. One will represent industry, and the other will represent K-12 education. The c-chairs are responsible for ensuring CTE programming is aligned to employer needs and can be successfully operationalized in schools. IAC co-chairs will be appointed by the Chairperson of the Board.

**Section 2. Other Committees:** The Chairperson of the Board may create other committees that shall have, and may exercise, such powers as shall be conferred or authorized by resolution of the Board. Such other committees will have such name or names as may be determined from time to time by resolution adopted by the voting members of the Board. The Board, by such affirmative vote, shall have power, at any time, to change the powers, and to dispose of, any such committee.

**Section 3. Task Forces and Other Non-Member Committees:** The Board may recommend to the Chairperson the creation of one or more ad-hoc committees, work groups, or task forces, solely to make recommendations to the Board. These groups, committees, or task forces shall have at least ten (10), but no more than twenty (20) members, and shall consist of at least one Board member. A Board member shall be the Committee Chair. Membership is by invitation and appointment of the Committee Chair and may occur at any point during the year. All non-Board members shall serve at the pleasure of the Committee Chair and may be expected to serve an initial term up to two (2) years or until the need for the committee or taskforce has been fulfilled. If a non-Board member is unable to fulfill his or her full term, replacement candidates shall be



identified by the Committee Chair, if necessary. No such task force or committee shall have or exercise any of the authority of the Board in the management of the affairs of the Board.

**Section 4. Committee Meetings – Rules of Procedure:** At all Board committee meetings, the majority of the membership of said committee shall, at any meeting, constitute a quorum for the transaction of business. The appointed Chairperson shall preside over each Committee meeting. In the absence of the Chairperson, the committee shall determine who will preside over the meeting. Each committee will comply with R.I.G.L. Chapter 42-46, Open Meetings, be accessible to the general public, keep regular minutes of its proceedings and report the same to the Board.

## **Article V – Board Meetings**

**Section 1. Meetings:** The Board shall meet at least quarterly at a place, date and time to be designated by the Chairperson. The Chairperson shall preside over each Board meeting. In his or her absence, the Vice-Chairperson shall preside. In the absence of the Chair and Vice Chair, the Board shall determine who will preside over the meeting. The meetings shall be open, be accessible to the general public, and the Board shall keep regular minutes of its proceedings and report the same to the Board when required in accordance with

R.I.G.L. Chapter 42-46, Open Meetings.

**Section 2. Notice of Meetings:** Notice of all meetings shall be given to any member either in writing, personally, by telephone, by facsimile or email to his or her house or office either directly or by leaving a message. Notice of any meeting of the Board shall be sent to each Board member not less than seven (7) days before the meeting; this may be waived, consistent with the Open Meetings Law and other applicable provisions, if circumstances warrant.

**Section 3. Specification of Business:** Notice of any meeting of the Board shall specify the place, the day, and the hour of the meeting, and, where practicable, an agenda of the business to be conducted at said meeting. In the case of a special meeting, the notice shall contain the general nature of the business to be transacted.

**Section 4. Notice of Cancelled Meeting:** When a scheduled Board meeting is cancelled, notice of the cancellation shall be given consistent with Section 2 of this Section.

**Section 5. Special Meetings:** The Chairperson of the Board, a majority of the members of the Board, or a majority of the Executive Committee shall have the authority to call a special meeting of the Board.

**Section 6. Quorum:** A majority of the members shall constitute a quorum at all meetings of the Board for the transaction of business. If, however, such quorum shall not be present at any meeting, the members shall have power to adjourn the meeting from time to time, without notice other than announcement at the meeting, until a quorum shall be present. When a quorum is in attendance, unless otherwise provided by law, action may be taken upon a vote of a majority of the members present. The Board members present at a duly called or held meeting at which a quorum is present may continue to do business. until adjournment, notwithstanding the withdrawal of enough members to leave less than a quorum.

**Section 7. Voting:** Each member shall be entitled to one vote. Voting by proxy, by mail or any other means where the member is not in attendance is not permitted.

**Section 10. Conflict of Interest:** Board members and staff shall not engage in any conduct resulting in a real, potential, or apparent conflict of interest. A conflict of interest may arise when any action by a Board member or staff, whether isolated, recurring, or continuous, is to the direct financial advantage of a Board member or staff and their family defined as a spouse and dependent children as well as any person related to such Board member or staff whether by blood, marriage or adoption. Board members and staff shall not participate in the selection, evaluation, choice, or management of a proposal, application or contract, covered by state and/or federal funds, if a real, potential, or apparent conflict of interest is involved. Such a conflict of interest would arise when any Board member or staff or any member of their family, or an organization which employs or is about to employ any of the parties indicated herein, has a financial or other interest in the firm/organization selected for a contract. The attendance of any member at a meeting of the Board or committee, in which the member has an interest, shall be counted in determining the presence of a quorum and shall not prohibit the Board or committee from authorizing, approving or ratifying a contract or award made by an affirmative vote of the Board or committee. However, the member shall recuse from any discussion and shall abstain from voting on any matter in which the member has interest. Board members and staff shall neither solicit nor accept gratuities, favors, or anything of monetary value from contractors, sub-recipients, parties of project contractors, or entities associated with such.

**Section 11. Technology:** Although remote meetings are not an allowable alternative for Board members pursuant to The Open Meetings Act, RIGL § 42- 46-1 et seq., a virtual access option may be used to allow greater access for the public. Meetings may be recorded at the discretion of the Board.

## **Article VI - Amendments to By-Laws**

**Section 1. Amendments:** These by-laws shall not be amended except by a two-thirds (2/3) affirmative vote of the members constituting the Board at a properly called and noticed Board meeting. No vote to amend the by-laws shall be taken unless notice, in writing, and a copy of the proposed changes, has been given to the Board membership at least two (2) weeks prior to the Board meeting at which the vote on said amendment is to be taken.

## **Article VII - Parliamentary Authority and Other Operating Procedures**

**Section 1. Parliamentary Procedure:** Roberts Rules of Order shall govern the proceedings of Board meetings, insofar as they are not inconsistent with these by-laws. These rules may be relaxed at the discretion of the Chairperson, in view of the nature of the discussion, should there be no objection from the membership.

**Section 2. Roll Call Vote:** The board member presiding at the meeting, at his/her discretion, may request a roll call vote. A request for a roll call vote by any member is subject to a majority vote of the Board.